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Attorneys for Defendant
Homecomings Financial, LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DOUG PEARSON, an individual, on behalf of)	CASE NO. 08 CV 0515 H (NLS)
himself, and on behalf of all persons similarly)	
situated,)	JOINT MOTION OF THE PARTIES TO
	EXTEND BY THIRTY DAYS THE TIME
Plaintiff,)	WITHIN WHICH DEFENDANT
	HOMECOMINGS FINANCIAL, LLC
vs.)	MUST FILE ITS RESPONSE TO
	PLAINTIFF'S COMPLAINT
HOMECOMINGS FINANCIAL LLC, formerly)	[[Proposed] Order e-mailed directly to the
known as HOMECOMINGS FINANCIAL)	Court]
NETWORK, INC.; and DOES 1 through 100,)	
Inclusive,)	Hon. Marilyn L. Huff
Defendants.)	Courtroom 13

Pursuant to S.D. Cal. Civ. L.R. 7.2 and 12.1, Plaintiff Doug Pearson ("Plaintiff") and Defendant Homecomings Financial, LLC (collectively, "the Parties") hereby agree, stipulate, and jointly move that Homecomings Financial, LLC (hereinafter, "Defendant") be granted a thirty (30) day extension of time to respond to Plaintiff's Complaint in this action.

In his Complaint, Plaintiff alleges, on behalf of himself and all others similarly situated, that Defendant has violated Section 17200 *et seq.* of the California Business and Professions Code by engaging in a business pattern and practice of unfairly charging Plaintiff and every other member of the putative class prepayment penalties on residential loans in violation of the terms of Defendant's standard form residential loan agreement. According to the Complaint, the putative class consists of "all individuals who during the four years preceding the filing of this action to and including a date

1 to be determined by the Court were charged a prepayment penalty by Defendants when their transfer
 2 the ownership [sic] of residential real property in California resulted in a loan payoff under the due-
 3 on-sale clause.” Plaintiff alleges, among other things, that Defendant unfairly charged him a
 4 prepayment penalty in the amount of \$17,194.88 and alleges that the amount in controversy is
 5 “reasonably expected to exceed \$5 million”

6 Plaintiff personally served Defendant with his Class Complaint in this action on March 26,
 7 2008. Accordingly, Defendant’s response to Plaintiff’s Class Complaint is currently due on April
 8 15, 2008. However, in light of (1) the Complaint’s sweeping class allegations covering a period of
 9 four years and untold numbers of borrowers; (2) the multi-million dollar alleged amount in
 10 controversy; and, (3) the fact that Plaintiff has not attached to the Complaint any of the loan
 11 contracts referenced therein, Defendant requires more than the twenty (20) day period set forth in
 12 Fed. R. Civ. P. 12 to evaluate the allegations in Plaintiff’s Complaint and prepare its response.

13 Defendant has diligently requested, and, in the spirit of cooperation, Plaintiff has stipulated
 14 to, an extension of thirty (30) days up to and including May 15, 2008 for Defendant to answer or
 15 otherwise respond to Plaintiff’s Complaint. Based upon the three factors referenced in the preceding
 16 paragraph and given the agreement of the Parties on this issue, the Parties believe that good cause
 17 exists for this Court to grant the requested extension.

18 Thus, the parties agree and jointly move the Court for an order extending Defendant’s time to
 19 answer or otherwise respond to Plaintiff’s Complaint to May 15, 2008.

20
 21 Dated: April 14, 2008

Respectfully submitted,

22 LOCKE LORD BISSELL & LIDDELL LLP

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 Attorneys For Defendant **Homecomings**
Financial, LLC

1 Dated: April 14, 2008

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